

Senate File 427 - Introduced

SENATE FILE 427
BY COMMITTEE ON STATE
GOVERNMENT

(SUCCESSOR TO SSB 1190)

(COMPANION TO 1690HV BY
COMMITTEE ON STATE GOVERNMENT)

A BILL FOR

1 An Act relating to the licensing of plumbing, mechanical,
2 HVAC-refrigeration, sheet metal, or hydronic professionals,
3 including transition provisions, including effective date
4 provisions, and making penalties applicable.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 91C.1, Code 2013, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 3. The labor services division of the Iowa
4 department of workforce development and the Iowa department of
5 public health will work with stakeholders to develop a plan to
6 combine the contractor registration and contractor licensing
7 application process for contractors licensed under chapter 105,
8 to be implemented in time for licensing renewals due July 1,
9 2017. The department of public health shall transfer to the
10 labor services division a portion of each contractor license
11 fee equal to three times the current contractor registration
12 fee. Effective July 1, 2017, a contractor licensed under
13 chapter 105 shall register as a contractor under this chapter
14 in conjunction with the contractor licensing process. At no
15 cost to the labor services division, the department of public
16 health shall collect both the registration and licensing
17 applications as part of one combined application. The
18 labor commissioner shall design the contractor registration
19 application form to exclude from the division of labor's
20 contractor registration application process those contractors
21 who are also covered by chapter 105. The labor commissioner
22 is authorized to adopt rules as needed to accomplish a merger
23 of the application systems including transitional registration
24 periods and fees.

25 Sec. 2. Section 105.2, subsections 1, 3, 6, 9, 10, 11, 12,
26 and 17, Code 2013, are amended to read as follows:

27 1. "*Apprentice*" means any person, other than a helper,
28 journeyperson, or master, who, as a principal occupation,
29 is engaged in working as an employee of a plumbing, HVAC,
30 ~~refrigeration,~~ mechanical, HVAC-refrigeration, sheet metal, or
31 hydronic systems contractor under the direct supervision of
32 either a master or a journeyperson and is progressing toward
33 completion of an apprenticeship training program registered by
34 the office of apprenticeship of the United States department of
35 labor while learning and assisting in the design, installation,

1 and repair of plumbing, HVAC, refrigeration, sheet metal, or
2 hydronic systems, as applicable.

3 3. "*Contractor*" means a person or entity that provides
4 plumbing, mechanical, HVAC, refrigeration, sheet metal, or
5 hydronic systems services on a contractual basis and who is
6 paid a predetermined amount under that contract for rendering
7 those services.

8 6. "*Helper*" means a person engaged in general manual
9 labor activities who provides assistance to an apprentice,
10 journeyman, or master while under the direct supervision of
11 a journeyman or master.

12 9. "*Journeyman*" means any person, other than a master,
13 who, as a principal occupation, is engaged as an employee of,
14 or otherwise working under the direction of, a master in the
15 design, installation, and repair of plumbing, mechanical, HVAC,
16 refrigeration, sheet metal, or hydronic systems, as applicable.

17 10. "*Master*" means any person who works in the planning
18 or superintending of the design, installation, or repair of
19 plumbing, mechanical, HVAC, refrigeration, sheet metal, or
20 hydronic systems and is otherwise lawfully qualified to conduct
21 the business of plumbing, mechanical, HVAC, refrigeration,
22 sheet metal, or hydronic systems, and who is familiar with the
23 laws and rules governing the same.

24 11. "*Mechanical professional*" means a person engaged in the
25 HVAC, refrigeration, sheet metal, or hydronic industry.

26 12. "*Mechanical systems*" means HVAC, refrigeration, sheet
27 metal, and hydronic systems.

28 17. "*Routine maintenance*" means the maintenance, repair,
29 or replacement of existing fixtures or parts of plumbing,
30 mechanical, HVAC, refrigeration, sheet metal, or hydronic
31 systems in which no changes in original design are made.
32 Fixtures or parts do not include smoke and fire dampers, or
33 water, gas, or steam piping permanent repairs except for traps
34 or strainers. "*Routine maintenance*" shall include emergency
35 repairs, and the board shall define the term "*emergency repairs*"

1 to include the repair of water pipes to prevent imminent
2 damage to property. "Routine maintenance" does not include the
3 replacement of furnaces, boilers, cooling appliances, or water
4 heaters more than one hundred gallons in size.

5 Sec. 3. Section 105.2, Code 2013, is amended by adding the
6 following new subsection:

7 NEW SUBSECTION. 18. "Sheet metal" means heating,
8 ventilation, air conditioning, pollution control, fume hood
9 systems and related ducted systems or installation of equipment
10 associated with any component of a sheet metal system. "Sheet
11 metal" excludes refrigeration and electrical lines and all
12 natural gas, propane, liquid propane, or other gas lines
13 associated with any component of a sheet metal system.

14 Sec. 4. Section 105.3, subsection 7, Code 2013, is amended
15 to read as follows:

16 7. The board may maintain a membership in any national
17 organization of state boards for the professions of plumbing,
18 mechanical, HVAC, refrigeration, sheet metal, or hydronic
19 professionals, with all membership fees to be paid from funds
20 appropriated to the board.

21 Sec. 5. Section 105.4, subsection 1, Code 2013, is amended
22 to read as follows:

23 1. The board shall establish by rule a plumbing installation
24 code governing the installation of plumbing in this state.
25 The board shall adopt the most current version of the uniform
26 plumbing code and the international mechanical code, as the
27 state plumbing code and the state mechanical code, to govern
28 the installation of plumbing and mechanical systems in this
29 state. The board shall adopt the current version of each code
30 within six months of its being released. However, the board
31 and local jurisdictions may adopt standards that are more
32 restrictive. Local jurisdictions shall have until December
33 31, 2015, to comply with the state plumbing code and state
34 mechanical code.

35 Sec. 6. Section 105.5, Code 2013, is amended by adding the

1 following new subsection:

2 NEW SUBSECTION. 4. The board shall adopt an industry
3 standardized examination for each license type. If a
4 standardized examination is not available for a specified
5 license type, the board shall work with the appropriate testing
6 vendor to create an examination for the specified license type.

7 Sec. 7. Section 105.9, subsections 6, 7, 8, and 10, Code
8 2013, are amended by striking the subsections.

9 Sec. 8. Section 105.9, Code 2013, is amended by adding the
10 following new subsection:

11 NEW SUBSECTION. 11. a. Licenses issued under this chapter
12 on or after July 1, 2014, shall expire on the same renewal date
13 every three years, beginning with June 30, 2017.

14 b. New licenses issued after the July 1 beginning of each
15 three-year renewal cycle shall be prorated using a one-sixth
16 deduction for each six-month period of the renewal cycle.

17 Sec. 9. Section 105.10, subsections 1 and 2, Code 2013, are
18 amended to read as follows:

19 1. Except as provided in section 105.11, a person shall
20 not operate as a contractor or install or repair plumbing,
21 mechanical, HVAC, refrigeration, sheet metal, or hydronic
22 systems without obtaining a license issued by the board, or
23 install or repair medical gas piping systems without obtaining
24 a valid certification approved by the board.

25 2. Except as provided in section 105.11, a person shall not
26 engage in the business of designing, installing, or repairing
27 plumbing, mechanical, HVAC, refrigeration, sheet metal, or
28 hydronic systems unless at all times a licensed master, who
29 shall be responsible for the proper designing, installing, and
30 repairing of the HVAC, refrigeration, sheet metal, or hydronic
31 system, is employed by the person and is actively in charge of
32 the plumbing, mechanical, HVAC, refrigeration, sheet metal, or
33 hydronic work of the person. An individual who performs such
34 work pursuant to a business operated as a sole proprietorship
35 shall be a licensed master in the applicable discipline.

1 Sec. 10. Section 105.10, subsection 3, Code 2013, is amended
2 by striking the subsection and inserting in lieu thereof the
3 following:

4 3. An individual holding a master mechanical license shall
5 not be required to get an HVAC-refrigeration, sheet metal, or
6 hydronic license in order to design, install, or repair the
7 work defined in this chapter as mechanical, HVAC-refrigeration,
8 sheet metal, or hydronic work. An individual holding a
9 journey mechanical license shall not be required to get an
10 HVAC-refrigeration, sheet metal, or hydronic license in order
11 to install and repair the work defined in this chapter as
12 mechanical, HVAC-refrigeration, sheet metal, or hydronic work.
13 An individual holding a master or journey mechanical license
14 shall also not be required to obtain a special, restricted
15 license that is designated as a sublicense of the mechanical,
16 HVAC-refrigeration, sheet metal, or hydronic licenses.

17 Sec. 11. Section 105.10, subsection 5, Code 2013, is amended
18 by striking the subsection.

19 Sec. 12. Section 105.11, subsections 1, 7, and 10, Code
20 2013, are amended to read as follows:

21 1. Apply to a person licensed as an engineer pursuant to
22 chapter 542B, licensed as a manufactured home retailer or
23 certified as a manufactured home installer pursuant to chapter
24 103A, registered as an architect pursuant to chapter 544A, or
25 licensed as a landscape architect pursuant to chapter 544B
26 who provides consultations or develops plans or other work
27 concerning plumbing, HVAC, refrigeration, sheet metal, or
28 hydronic work and who is exclusively engaged in the practice of
29 the person's profession.

30 7. Require a helper engaged in general manual labor
31 activities while providing assistance to an apprentice,
32 journeyperson, or master to obtain a plumbing, HVAC,
33 ~~refrigeration~~, mechanical, HVAC-refrigeration, sheet metal,
34 or hydronic license. Experience as a helper shall not be
35 considered as practical experience for a journeyperson license.

1 10. Apply to the employees of manufacturers, manufacturer
2 representatives, or wholesale suppliers who provide
3 consultation or develop plans concerning plumbing, HVAC,
4 refrigeration, sheet metal, or hydronic work, or who assist
5 a person licensed under this chapter in the installation of
6 mechanical or plumbing systems.

7 Sec. 13. Section 105.12, subsection 1, Code 2013, is amended
8 to read as follows:

9 1. A contracting, plumbing, HVAC, ~~refrigeration,~~
10 mechanical, HVAC-refrigeration, sheet metal, or hydronic
11 license shall be in the form of a certificate under the seal of
12 the department, signed by the director of public health, and
13 shall be issued in the name of the board. The license number
14 shall be noted on the face of the license.

15 Sec. 14. Section 105.15, Code 2013, is amended to read as
16 follows:

17 **105.15 Registry of licenses.**

18 The name, location, license number, and date of issuance of
19 the license of each person to whom a license has been issued
20 shall be entered in a registry kept in the office of the
21 department to be known as the plumbing, HVAC, ~~refrigeration,~~
22 mechanical, HVAC-refrigeration, sheet metal, or hydronic
23 registry. The registry may be electronic and shall be open
24 to public inspection; ~~however.~~ However, the licensee's home
25 address, home telephone number, and other personal information
26 as determined by rule shall be confidential.

27 Sec. 15. Section 105.16, Code 2013, is amended to read as
28 follows:

29 **105.16 Change of residence.**

30 If a person licensed to practice as a contractor or a
31 plumbing, HVAC, ~~refrigeration,~~ mechanical, HVAC-refrigeration,
32 sheet metal, or hydronic professional under this chapter
33 changes the person's residence or place of practice, the person
34 shall so notify the board.

35 Sec. 16. Section 105.17, Code 2013, is amended to read as

1 follows:

2 **105.17 Preemption of local licensing requirements.**

3 1. The provisions of this chapter regarding the licensing of
4 plumbing, HVAC, refrigeration, mechanical, HVAC-refrigeration,
5 sheet metal, and hydronic professionals and contractors shall
6 supersede and preempt all plumbing, HVAC, refrigeration,
7 mechanical, HVAC-refrigeration, sheet metal, hydronic,
8 and contracting licensing provisions of all governmental
9 subdivisions.

10 a. ~~A governmental subdivision that issues licenses on~~
11 ~~July 1, 2008, shall continue to issue licenses until June 30,~~
12 ~~2009.~~ On July 1, 2009, all plumbing and mechanical licensing
13 provisions promulgated by any governmental subdivision shall
14 be null and void, except reciprocal licenses as provided in
15 section 105.21, and of no further force and effect.

16 b. On and after July 1, 2008, a governmental subdivision
17 shall not prohibit a contractor or a plumbing, HVAC,
18 refrigeration, mechanical, HVAC-refrigeration, sheet metal,
19 or hydronic professional licensed pursuant to this chapter
20 from performing services for which that person is licensed
21 pursuant to this chapter or enforce any plumbing and
22 mechanical licensing provisions promulgated by the governmental
23 subdivision against a person licensed pursuant to this chapter.

24 2. Nothing in this chapter shall prohibit a governmental
25 subdivision from assessing and collecting permit fees or
26 inspection fees related to work performed by ~~plumbers and~~
27 ~~mechanical~~ plumbing, mechanical, HVAC-refrigeration, sheet
28 metal, or hydronic professionals.

29 Sec. 17. Section 105.18, subsection 2, unnumbered paragraph
30 1, Code 2013, is amended to read as follows:

31 The board shall issue ~~separate~~ master licenses for plumbing,
32 ~~HVAC, refrigeration~~ mechanical, HVAC-refrigeration, sheet
33 metal, and hydronic professionals ~~and for contractors.~~ The
34 board shall issue journeyman licenses for plumbing,
35 mechanical, HVAC-refrigeration, sheet metal, and hydronic

1 professionals. A plumbing license shall allow an individual
2 to perform work defined as plumbing. A mechanical license
3 shall allow an individual to perform work defined as
4 HVAC, refrigeration, sheet metal, and hydronic. An
5 HVAC-refrigeration license shall allow an individual to perform
6 work defined as HVAC and refrigeration. A hydronic license
7 shall allow an individual to perform work defined as hydronic.
8 A sheet metal license shall allow an individual to perform work
9 defined as sheet metal. The board shall issue the separate
10 licenses as follows:

11 Sec. 18. Section 105.18, subsection 2, paragraph a,
12 subparagraph (2), Code 2013, is amended to read as follows:

13 (2) Certify that the person will work under the direct
14 supervision of a licensed journeyman or master in the
15 applicable discipline who is licensed to do the type of
16 work that the apprentice is performing. For the purposes of
17 this chapter, direct supervision means that the supervising
18 journeyman or master is on the same job site as the
19 apprentice.

20 Sec. 19. Section 105.18, subsection 2, paragraph b, Code
21 2013, is amended by adding the following new subparagraph:

22 NEW SUBPARAGRAPH. (3) An individual who has passed
23 both the journeyman HVAC-refrigeration examination and
24 the journeyman hydronic examination separately shall
25 be qualified to be issued a journeyman mechanical
26 license without having to pass the journeyman mechanical
27 examination.

28 Sec. 20. Section 105.18, subsection 2, paragraph c, Code
29 2013, is amended to read as follows:

30 *c. Master license.* (1) In order to be licensed by the
31 board as a master, a person shall do all of the following:

32 ~~(1)~~ (a) File an application and pay application fees as
33 established by the board, which application shall establish
34 that the person meets the minimum educational and experience
35 requirements adopted by the board.

1 ~~(2)~~ (b) Pass the state master licensing examination for the
2 applicable discipline.

3 ~~(3)~~ (c) Provide evidence to the board that the person
4 has previously been a licensed journeyman or master in the
5 applicable discipline.

6 (2) An individual who has passed both the master
7 HVAC-refrigeration examination and the master hydronic
8 examination separately shall be qualified to be issued a master
9 mechanical license without having to pass the master mechanical
10 examination.

11 Sec. 21. Section 105.18, subsection 2, paragraph d,
12 subparagraph (1), Code 2013, is amended by striking the
13 subparagraph and inserting in lieu thereof the following:

14 (1) File an application and pay application fees as
15 established by the board and establish that the person meets
16 the minimum requirements adopted by the board. Through
17 June 30, 2016, the application shall include the person's
18 state contractor registration number. After July 1, 2017,
19 the application shall include proof of workers compensation
20 insurance coverage, proof of unemployment insurance compliance,
21 and, for out-of-state contractors, a bond as described in
22 chapter 91C.

23 Sec. 22. Section 105.18, subsection 3, paragraph b, Code
24 2013, is amended to read as follows:

25 *b. Special, restricted license.* The board may by rule
26 provide for the issuance of special plumbing and mechanical
27 professional licenses authorizing the licensee to engage in a
28 limited class or classes of plumbing or mechanical professional
29 work, which class or classes shall be specified on the license.
30 Each licensee shall have experience, acceptable to the board,
31 in each such limited class for which the person is licensed.
32 The board shall designate each special, restricted license to
33 be a sublicense of either a plumbing, ~~HVAC, refrigeration,~~
34 mechanical, HVAC-refrigeration, sheet metal, or hydronic
35 license. A special, restricted license may be a sublicense of

1 multiple types of licenses. An individual holding a master
2 or journeyperson, plumbing, ~~HVAC, refrigeration,~~ mechanical,
3 HVAC-refrigeration, sheet metal, or hydronic license shall not
4 be required to obtain any special, restricted license which is
5 a sublicense of the license that the individual holds. Special
6 plumbing and mechanical professional licenses shall be issued
7 to employees of a rate-regulated gas or electric public utility
8 who conduct the repair of appliances. "*Repair of appliances*"
9 means the repair or replacement of mechanical connections
10 between the appliance shutoff valve and the appliance and
11 repair of or replacement of parts to the appliance. Such
12 special, restricted license shall require certification
13 pursuant to industry-accredited certification standards.

14 Sec. 23. Section 105.18, subsection 3, paragraph d, Code
15 2013, is amended to read as follows:

16 *d.* An individual that holds either a master or
17 journeyperson ~~HVAC license or a master or journeyperson~~
18 ~~refrigeration~~ mechanical license or a master or journeyperson
19 HVAC-refrigeration license shall be exempt from having to
20 obtain a special electrician's license pursuant to chapter 103
21 in order to perform disconnect and reconnect of existing air
22 conditioning and refrigeration systems.

23 Sec. 24. Section 105.18, subsection 4, Code 2013, is amended
24 by striking the subsection.

25 Sec. 25. Section 105.19, subsections 2 and 3, Code 2013, are
26 amended to read as follows:

27 2. If the applicant is engaged in plumbing, mechanical,
28 HVAC, refrigeration, sheet metal, or hydronic work individually
29 through a business conducted as a sole proprietorship, the
30 applicant shall personally obtain the insurance and surety
31 bond required by this section. If the applicant is engaged in
32 the plumbing, mechanical, HVAC, refrigeration, sheet metal, or
33 hydronic business as an employee or owner of a legal entity,
34 then the insurance and surety bond required by this section
35 shall be obtained by the entity and shall cover all plumbing or

1 mechanical work performed by the entity.

2 3. The insurance and surety bond shall be written by an
3 entity licensed to do business in this state and each licensed
4 contractor shall maintain on file with the board a certificate
5 evidencing the insurance providing that the insurance or surety
6 bond shall not be canceled without the entity first giving
7 ~~fifteen~~ ten days' written notice to the board.

8 Sec. 26. Section 105.20, subsection 3, Code 2013, is amended
9 to read as follows:

10 3. a. The board shall notify each licensee by mail at least
11 sixty days prior to the expiration of a license.

12 b. This subsection is repealed effective December 31, 2016.

13 Sec. 27. Section 105.21, Code 2013, is amended to read as
14 follows:

15 **105.21 Reciprocal licenses.**

16 The board may license without examination a nonresident
17 applicant who is licensed under plumbing, ~~HVAC, refrigeration,~~
18 mechanical, HVAC-refrigeration, sheet metal, or hydronic
19 professional licensing statutes of another state having similar
20 licensing requirements as those set forth in this chapter and
21 the rules adopted under this chapter if the other state grants
22 the same reciprocal licensing privileges to residents of Iowa
23 who have obtained Iowa plumbing or mechanical professional
24 licenses under this chapter. The board shall adopt the
25 necessary rules, not inconsistent with the law, for carrying
26 out the reciprocal relations with other states which are
27 authorized by this chapter.

28 Sec. 28. Section 105.22, unnumbered paragraph 1, Code 2013,
29 is amended to read as follows:

30 A license to practice as a contractor or as a plumbing, ~~HVAC,~~
31 ~~refrigeration,~~ mechanical, HVAC-refrigeration, sheet metal,
32 or hydronic professional may be revoked or suspended, or an
33 application for licensure may be denied pursuant to procedures
34 established pursuant to chapter 272C by the board, or the
35 licensee may be otherwise disciplined in accordance with that

1 chapter, when the licensee commits any of the following acts
2 or offenses:

3 Sec. 29. Section 105.22, subsection 8, Code 2013, is amended
4 to read as follows:

5 8. Aiding and abetting a person who is not licensed pursuant
6 to this chapter in that person's pursuit of an unauthorized and
7 unlicensed plumbing, mechanical, HVAC, refrigeration, sheet
8 metal, or hydronic professional practice.

9 Sec. 30. Section 105.25, Code 2013, is amended to read as
10 follows:

11 **105.25 Advertising — violations — penalties.**

12 1. Only a person who is duly licensed pursuant to this
13 chapter may advertise the fact that the person is licensed as a
14 contractor or as a plumbing, HVAC, refrigeration, mechanical,
15 HVAC-refrigeration, sheet metal, or hydronic professional by
16 the state of Iowa.

17 2. All written advertisements distributed in this state by a
18 person who is engaged in the business of designing, installing,
19 or repairing plumbing, HVAC, refrigeration, sheet metal, or
20 hydronic systems shall include the listing of ~~at least one~~
21 ~~master~~ the contractor license number, as applicable. ~~A master~~
22 ~~plumbing, HVAC, refrigeration, or hydronic professional shall~~
23 ~~not allow the master's license number to be used in connection~~
24 ~~with the advertising for more than one person engaged in the~~
25 ~~business of designing, installing, or repairing plumbing, HVAC,~~
26 ~~refrigeration, or hydronic systems.~~

27 3. A person who fraudulently claims to be a licensed
28 contractor or a licensed plumbing, HVAC, refrigeration,
29 mechanical, HVAC-refrigeration, sheet metal, or hydronic
30 professional pursuant to this chapter, either in writing,
31 cards, signs, circulars, advertisements, or other
32 communications, is guilty of a simple misdemeanor.

33 4. ~~A person who fraudulently lists a contractor or a master~~
34 ~~plumbing, HVAC, refrigeration, or hydronic license number in~~
35 ~~connection with that person's advertising or falsely displays~~

1 ~~a contractor or a master plumbing, HVAC, refrigeration, or~~
2 ~~hydronic professional license number is guilty of a simple~~
3 ~~misdemeanor. In order to be entitled to use a license number~~
4 ~~of a master plumbing, HVAC, refrigeration, or hydronic~~
5 ~~professional, the master plumbing, HVAC, refrigeration, or~~
6 ~~hydronic professional must be employed by the person in whose~~
7 ~~name the business of designing, installing, or repairing~~
8 ~~plumbing or mechanical systems is being conducted. A person~~
9 ~~who fraudulently lists a license number in connection with that~~
10 person's advertising or falsely displays a license number is
11 guilty of a simple misdemeanor.

12 Sec. 31. Section 105.29, Code 2013, is amended to read as
13 follows:

14 **105.29 Report of violators.**

15 Every licensee and every member of the board shall report
16 to the board the name of every person who is practicing
17 as a contractor or as a ~~plumber or plumbing,~~ mechanical,
18 HVAC-refrigeration, sheet metal, or hydronic professional
19 without a license issued pursuant to this chapter pursuant
20 to the knowledge or reasonable belief of the person making
21 the report. The opening of an office or place of business
22 for the purpose of providing any services for which a license
23 is required by this chapter, the announcing to the public in
24 any way the intention to provide any such service, the use of
25 any professional designation, or the use of any sign, card,
26 circular, device, vehicle, or advertisement, as a provider of
27 any such services shall be prima facie evidence of engaging
28 in the practice of a contractor or a ~~plumber or plumbing,~~
29 mechanical, HVAC-refrigeration, sheet metal, or hydronic
30 professional.

31 Sec. 32. NEW SECTION. **105.31 Licenses.**

32 1. *License expiration.*

33 a. All licenses that currently possess an expiration date
34 prior to June 30, 2014, shall be granted a one-time extension
35 of the expiration date to June 30, 2014, at no additional

1 charge or continuing education requirements. The licensees of
2 these licenses shall pay a full renewal fee upon renewal and
3 shall be issued a license with an expiration date of June 30,
4 2017. Applicable late renewal fees shall apply during this
5 period.

6 *b.* Licenses with an expiration date of July 1, 2014, or
7 later shall have the license renewal fee prorated using a
8 one-sixth deduction for each six-month period following July
9 1, 2014. Applicable late renewal fees shall apply during this
10 period. Licenses renewed through June 29, 2017, shall be
11 issued with an expiration date of June 30, 2017.

12 *2. License reissue.* A license reissued pursuant to this
13 subsection shall be for the same level of license held by the
14 licensee on the effective date of this Act, but may be for a
15 class described in paragraphs "a" through "e", if applicable. A
16 license shall be reissued at the date of the first renewal.

17 *a.* An individual with either an HVAC or a refrigeration
18 license will be issued an HVAC-refrigeration license.

19 *b.* An individual who holds an HVAC and a hydronic license
20 will be issued a mechanical license at the first renewal.

21 *c.* An individual who holds a refrigeration and a hydronic
22 license will be issued a mechanical license.

23 *d.* An individual who holds only a hydronic license will be
24 issued a hydronic license.

25 *e.* An individual who holds an HVAC or a refrigeration
26 license may take the hydronic test before June 30, 2014, in
27 order to be issued a mechanical license at the time of renewal.

28 **Sec. 33. NEW SECTION. 105.32 Transition provisions.**

29 A licensee whose license expires between June 30, 2014, and
30 July 1, 2017, may voluntarily renew their license early so they
31 may have an expiration date of June 30, 2017. This voluntary
32 early renewal may happen at any time on or after July 1, 2014.
33 The department shall promulgate rules that allow for this
34 one-time early renewal process, including fees and continuing
35 education requirements.

1 makes related changes.

2 A plumbing license allows an individual to perform plumbing
3 work. A mechanical license allows an individual to perform
4 HVAC, refrigeration, sheet metal, and hydronic work. An
5 HVAC-refrigeration license allows an individual to perform
6 HVAC and refrigeration work. A hydronic license shall allow
7 an individual to perform hydronic work. A sheet metal license
8 allows an individual to perform sheet metal work.

9 The bill requires that the labor services division of
10 the department of workforce development and the department
11 of public health develop a plan to combine the contractor
12 registration and contractor licensing application process
13 for contractors licensed under Code chapter 105, to be
14 implemented in time for licensing renewals due July 1, 2017.
15 The department of public health shall transfer to the labor
16 services division a portion of each contractor license fee
17 equal to three times the current contractor registration
18 fee. Effective July 1, 2017, a contractor licensed under Code
19 chapter 105 shall register as a contractor under Code chapter
20 91C.

21 The bill adds "sheet metal" to the list of licensed
22 professionals. The term includes heating, ventilation, air
23 conditioning, pollution control, fume hood systems, and related
24 ducted systems.

25 The bill requires that the board adopt the most current
26 version of the uniform plumbing code and the international
27 mechanical code. Local jurisdictions must comply with the
28 state plumbing code and state mechanical code, as provided for
29 in the bill, by December 31, 2015. However, the bill provides
30 that the board and local jurisdictions may adopt standards that
31 are more restrictive.

32 The bill requires that the board adopt an industry
33 standardized examination for each license type. If a
34 standardized examination is not available for a specified
35 license type, the board shall work with the testing vendor to

1 create an examination for the specified license type.

2 The bill requires that an apprentice work under the direct
3 supervision of an appropriately licensed journeyperson or
4 master who is on the same job site.

5 The bill provides that an individual who has passed both
6 the journeyperson HVAC-refrigeration examination and the
7 journeyperson hydronic examination separately shall be
8 issued a journeyperson mechanical license without having to
9 pass an examination. An individual who has passed both the
10 master HVAC-refrigeration examination and the master hydronic
11 examination separately shall be issued a master mechanical
12 license without having to pass an examination.

13 Relating to the use of master license numbers in
14 advertising, the bill requires a contractor license number,
15 instead of master license number, in written advertisements and
16 also eliminates a current provision that prohibited the use of
17 a master's license number in connection with the advertising
18 for more than one person engaged in the business.

19 The bill repeals, effective December 31, 2016, the
20 requirement that the board notify each licensee by mail at
21 least 60 days before the licensee's license expires.

22 The bill provides that all licenses that currently possess
23 an expiration date prior to June 30, 2014, shall be granted a
24 one-time extension of the expiration date to June 30, 2014,
25 at no additional charge. Licenses issued on or after July
26 1, 2014, shall expire on the same renewal date every three
27 years, beginning with June 30, 2017. Licensees whose licenses
28 have an expiration date of July 1, 2014, or later shall be
29 issued a license with an expiration date of June 30, 2017,
30 and shall have the license renewal fee prorated. These
31 licensees may also voluntarily renew their licenses early and
32 be issued a license with a June 30, 2017, expiration date.
33 Licenses renewed through June 29, 2017, shall be issued with an
34 expiration date of June 30, 2017.

35 At the time of license renewal:

1 a. An individual with either an HVAC or a refrigeration
2 license will be issued an HVAC-refrigeration license.

3 b. An individual who holds an HVAC and a hydronic license
4 will be issued a mechanical license at the first renewal.

5 c. An individual who holds a refrigeration and a hydronic
6 license will be issued a mechanical license.

7 d. An individual who holds only a hydronic license will be
8 issued a hydronic license.

9 e. An individual who holds an HVAC or a refrigeration
10 license may take the hydronic test before June 30, 2014, in
11 order to be issued a mechanical license.

12 The bill exempts a holder of a mechanical license from the
13 requirement to also hold an HVAC-refrigeration, sheet metal, or
14 hydronic license in order to perform that work.

15 In addition to the administrative penalties set out in
16 Code chapter 272C, relating to licensees, Code chapter 105
17 makes it a simple misdemeanor for a person to claim to be a
18 mechanical, HVAC, refrigeration, sheet metal, or hydronic
19 contractor or professional. A simple misdemeanor is punishable
20 by confinement for no more than 30 days or a fine of at least
21 \$65 but not more than \$625 or both.